REMARKS

Claims 1-15 remain in the application and have been rejected. Claims 2 and 3 have been canceled. Claims 1 and 5 have been amended. Applicant respectfully requests reconsideration.

REJECTION UNDER 35 U.S.C. §101

In the Office Action, the Examiner objected to claims 1 – 15 as being directed to non-statutory subject matter.

As to claim 1, the Examiner contended that "no physical transformation can be found in the claim." The examiner further contended that "no substantial practical application can be found in the claim." Applicant respectfully contends that there is no requirement of a physical transformation as a condition to patentability. In *AT&T Corp. v. Excel*, 50 USPQ2d 1447 (Fed. Cir. 1999), the Federal Circuit said:

> "The notion of "physical transformation" can be misunderstood. In the first place, it is not an invariable requirement, but merely one example of how a mathematical algorithm may bring about a useful application. As the Supreme Court itself noted, "when [a claimed invention] is performing a function which the patent laws were designed to protect (**e.g.**, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of §101." Diehr, 450 U.S. [175] at 192 (emphasis added). The "e.g." signal denotes an example, not an exclusive requirement."

Therefore, physical transformation is not a requirement for patentability. As to the practical application issues, the invention claimed by all of the claims at issue relates to a system, methods, and articles of manufacture for increasing the number of architecturally visible registers in a central processing unit. A CPU with an increased number of instruction registers

has improved processing power. This is a practical application. Therefore, Applicant respectfully requests that the lack of subject matter patentability rejections be withdrawn.

REJECTION UNDER 35 U.S.C. §102

In the Office Action, the Examiner rejected claims 1 - 15 under 35 U.S.C. 102(e) as being anticipated by Devic (US 6,072,508). The Applicant respectfully traverses the rejection.

Claim 1, as amended, is neither taught nor suggested by Devic. The claimed invention uses an indirection table or register access pattern table (RAPT). Devic does not encode or decode the registers. The table 240 of Devic neither teaches nor suggests encoding or decoding registers as claimed in the present invention. Rather, its content is offsets. Moreover, Devic is an attempt at saving space or shortening a display list instruction. It does not concern expanding the number of instructions usable by a CPU.

Claims 5 and 6 relate to methods for processing an instruction. Claims 7-9 relate to methods of encoding registers. As discussed above, Devic does not encode or decoding instructions at all. Therefore, these claims are not anticipated by Devic.

Claim 10 is a computer program product. Devic does not teach or suggest at least identifying an entry in an indirection table wherein the entry comprises a plurality of register identifiers. As noted above, the partition look-up table of Devic comprises offsets, not register identifiers. Claims 11-12 are dependent on claim 10 and are not anticipated for at least the same reasons.

Claim 13 and its dependent claims 14 and 15 relate to program products for encoding

registers in a computer instruction. Devic does not encode registers.

For the foregoing reasons, Applicant respectfully requests entry of the amendment and allowance of the pending claims.

Respectfully submitted,

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I hereby certify that this Amendment and Response to Office Action, and any documents referred to as attached therein are being deposited with the United States Postal Service as First Class Mail on the date below, to the Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Michael J. Buchenhorner

Date: **October 16, 2006**